



KATANGA / NGUDJOLO CHUI

INFORMAL WEEKLY SUMMARY

11 - 15 JULY 2011

<p><b>Situation Case</b></p> <p><b>Hearing: Chamber:</b></p> <p><b>Parties:</b></p> <p><b>Participants</b></p> <p><b>Start of Trial:</b></p>	<p>Democratic Republic of Congo 01/04-01/07 The Prosecutor vs. Germain Katanga and Mathieu Ngudjolo Chui</p> <p>Trial Proceedings Judge Bruno Cotte (Presiding Judge), Judge Fatoumata Dembele Diarra, Judge Christine van den Wyngaert</p> <p>OTP: Mr Eric MacDonald, Mr Garcia, Ms Dianne Luping, Mr Gilles Dutertre and team; Defence Mr Katanga: Mr. David Hooper, Mr. Andreas O'Shea and team; Defence Mr Ngudjolo: Mr. Jean-Pierre Kilenda Kakengi Basila, and team;</p> <p>365 victims represented by Legal Representatives for Victims: Mr. Fidel Nsita Luvengika and Mr. Jean-Louis Gilissen</p> <p>24 November 2009</p>	<p><u>Germain Katanga</u>: born 1978 in Mambassa, Ituri district, Eastern Province; National of the DRC; Alleged commander of the Force de résistance patriotique en Ituri (FRPI).</p> <p><u>Mathieu Ngudjolo Chui</u>: born 1970 in Bunia, Ituri district, Eastern Province; National of the DRC; Alleged former leader of the Front des nationalistes et intégrationnistes (FNI).</p> <p><b>Alleged crimes:</b> <u>Germain Katanga and Mathieu Ngudjolo Chui</u> allegedly jointly committed, through other persons:</p> <ul style="list-style-type: none"> <li>○ Crimes against humanity: Murder, sexual slavery and rape;</li> <li>○ War crimes: Using children under the age of 15 to take active part in hostilities; deliberately directing an attack on a civilian population as such or against individual civilians not taking direct part in hostilities; willful killing; destruction of property; pillaging; sexual slavery; rape.</li> </ul>
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This week one witness gave testimony:  
**Witness 258 (17th witness for the Defence of Germain Katanga):** Jean Logo Dengachu is of the Hema ethnicity and has worked as a resource person for the Defence team of Mr. Katanga since February 2008.

**11 July, 2011**  
The Prosecution continued its cross-examination of witness 258.

During questioning by the Prosecution the witness testified on:

- **Meeting Katanga:** The witness testified that he became familiar with Mr. Katanga in 2005 when Mr. Katanga had just been appointed general. The witness stated he met Katanga whilst visiting General Kisembo<sup>1</sup> at the Grand Hotel de Kinshasa. The witness claims that he did not know that Mr. Katanga was president of the FRPI<sup>2</sup> at that time and that they became friends.

<sup>1</sup>General Floribert Kisembo was assassinated by DRC government forces on 1 May 2011 after allegations that he tried to form a new rebellion in the Djugu territory. He was appointed General in the DRC army together with Mr. Katanga in 2005, before that time he served as a commander in Mr. Lubanga's UPC militia.

<sup>2</sup>Force de Resistance Patriotique en Ituri, an Ngiti ethnic militia formerly lead by Mr. Katanga. This is an informal and unofficial summary of the trial hearings. Whilst every effort has been made to ensure accuracy, the CICC is not responsible for any omissions or inaccuracies contained within the following summary, which is provided for informational purposes only. Please do not forward without prior consultation with CICC staff.

- **UPC<sup>3</sup>:** The witness stated he was part of the UPC public relations committee responsible for launching the UPC party in Bunia but denied ever having been involved in the UPC's political committee. He stated that his involvement in launching the UPC was insignificant and that was also why he had not mentioned it on his CV.
- **UPC connections:** The witness stated he knew the Secretary General of the UPC and Mr. Lubanga personally, but did not know Mr. Katanga was president of the FPRI.
- **Finding potential witnesses:** The witness stated Mr. Katanga did not suggest any potential witnesses to him and added that he had no regular direct contact with Mr. Katanga. According to the witness, he sent all the information he collected, including information pointing to potential new witnesses, to the Defence team, not to Mr. Katanga.
- **Mr. Katanga's family:** The witness stated he was acquainted with Mr. Katanga's family. He had met his brother Jonathan and sister Francine and had been in contact with his wife Denise and her cousin "mama Ando". Although he knew them, the witness stated that he did not take any of their statements because that was not his job.
- **Introducing himself as a lawyer:** Commenting on allegations made by witness 146 that he introduced himself as a lawyer for Mr. Katanga, the witness stated that in the DRC legal system, neither the term "investigator for the Defence" nor the term "person of resource" exists and that therefore it is likely that witnesses confused him with being a lawyer. The witness emphasized he had never introduced himself as lawyer to anyone.

**12 July 2011**

The Prosecution completed its cross-examination of witness 258. The Legal Representative for Victims (LRV) subsequently questioned the witness.

The Prosecution continued its cross-examination of the witness, during which the witness testified on:

- **How the witness obtained the ID of a girl in Bunia:** The girl was the sister of witness 279 and the daughter of witness 280. The witness allegedly identified her by using a student identity card that he had requested at her school. Subsequently, a document was shown to the witness by the Prosecution, allegedly stating the girl's identity and date of birth. However, this was deemed a forgery by the witness as he stated it lacked official seals and signatures.
- **Witness 219:** The witness alleged that witness 219 had lied to him. Witness 219 had told him he had not spoken to the Prosecution when in fact he had.

The Prosecution completed its cross-examination of the witness.

Maître Luvengika from the LRV questioned the witness on:

- **The Witness' Ethnicity:** The witness explained he was of Hema North ethnicity from Ndjugu.
- **The Witness' Language:** The witness explained the Hema North speak Kilendu, a language different from that spoken by other Hema people, more closely related to Sudanese languages.

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<sup>3</sup>Union des Patriotes Congolais, a predominantly Hema armed group that is also present in the national assembly. This is an informal and unofficial summary of the trial hearings. Whilst every effort has been made to ensure accuracy, the CICC is not responsible for any omissions or inaccuracies contained within the following summary, which is provided for informational purposes only. Please do not forward without prior consultation with CICC staff.

- **Attack on Witness' village:** The witness alleged that his village was attacked on 7 October 2003 and that he was also a victim.

Witness 258 completed his testimony.

**12 July 2011 - Court Recess until 15 August 2011**

The Court is in summer recess until 15 August 2011, when the trial will recommence with the Defence of Mr. Ngudjolo Chui commencing its examination-in-chief.

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